REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion is respectfully requested.

Claims 1-23 are presently pending. In this response, Claims 7 and 8 have been amended, and new claims 23-23 added. Support for claim amendments and new claims may be found at least at page 5, lines 5-10 and page 7; and Figures 1-4 of the present specification.

In the outstanding Office Action, the drawings and claim 7 were objected to for having minor informalities; and Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,023,593 to Tomidokoro in view of PCT Publication No. WO/9718636 to Mizuno.

In response to drawing objections, Applicants have amended Figure 1 and proposed drawing corrections to overcome the minor informalities identified therein. Applicants respectfully submit that no new matter is added by way of this amendment. A letter requesting entry of proposed drawing changes is enclosed with this response. Dependent claim 7 has been amended to overcome the minor informalities recited therein. It is believed that the drawing objections and objections to claim 7 have now been overcome.

In the outstanding Office Action, claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tomidokoro in view of Mizuno. Claim 1 recites a method of programming a non-volatile memory unit in a hard copy output engine. The method includes determining a geographical area within which the hard copy output engine is to be deployed; determining an electronic address for a consumable supplier appropriate to the geographical area; and programming the electronic address into the non-volatile memory.

The Office action, while acknowledging Tomidokoro's failure to teach determining an electronic address for a consumable supplier appropriate to the geographic area, asserts it as teaching determining a geographical area within which the hard copy output engine is to be deployed. Applicants respectfully traverse the above assertion for the following reasons.

Tomidokoro is polling based system

Tomidokoro discloses a consumable item supplying system having a consumable item manual requesting operation for manually requesting a consumable item from a plurality of image forming apparatuses. A central controller orders a consumable item from a supplier when a consumable item is requested from one of the image forming apparatuses. A data communication device receives data representing a consumable item request <u>by polling each of the image forming apparatuses</u> and sending the polling results from the image forming apparatus to the central controller (see Tomidkoro's Abstract).

The data communication apparatus 200 is connected to the communication line 300 and transfers text data sent from the central control apparatus 400 to the copier group 100, and transfers data generated by a copy of the copier group 100 to the central control apparatus 400. Data communications between copiers of the copier group 100 and the data communication apparatus 200 is executed by polling in order to determine in which of the copiers data to be sent exists (see Tomidkoro at sol. 3, line 52 through col. 4, line 17).

Thus, as can be seen from the above, Tomidokoro system is polling based wherein each of the image forming apparatuses are polled to receive data representing the requested consumable item. Upon receiving such data, the central controller orders the needed consumable item from a supplier where data representing a shortage of the consumable item is sent from the data communication apparatus.

Since Tomidokoro <u>polls each of the image forming apparatuses</u> in order to determine a specific image forming apparatus requiring consumable items, the question of ***determining a geographical area within which an image forming apparatus is to be deployed*** does not even arise. By polling each of the image forming apparatuses, Tomidokoro in fact teaches away from the claimed invention. Furthermore, since Tomidokoro is polling based and thus does not contemplate teaching the step of determining a geographical area within which the hard copy output engine is to be deployed, there <u>is no need</u> for further steps of determining an electronic address for a consumables supplier appropriate to

the geographical area, and programming the electronic address into the non-volatile memory, as recited in claim 1.

Mizuno discloses a method for controlling remote devices using HTTP protocol and accessing a remote device using the URL for that device via a controller. Mizuno merely controls remote devices using a controller by accessing the remote device via their respective URL addresses. There is no teaching or suggestion that a URL of a specific remote device is determined in accordance with its appropriateness to a geographical area. Since Mizuno fails to teach or suggest the determining a geographical area within which a hard copy output engine is to be deployed, the determining an electronic address for a consumables supplier appropriate to a geographical area and programming do not arise.

In view of the above, neither Tomidokoro nor Mizuno taken independent or in combination, teach or suggest all the limitationss of claim 1. Claim 1 is allowable for at least this reason. A notice to that effect is respectfully requested.

The claims which depend from independent claim 1 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

With respect to claim 5, Applicants carefully reviewed the specific portions of Tomidokoro and Mizuno as cited by the Office Action, and failed to locate the limitations of claim 5 which specifically recites "determining that the electronic address for the consumables supplier is obsolete; determining a revised electronic address for a consumables supplier appropriate to the geographical area; and re-programming the non-volatile memory with the revised electronic address to replace the obsolete electronic address." Claim 5 is allowable for this additional reason.

Referring to claim 8, such recites, among other features, *extracting an electronic address for a vendor of the consumable from a non-volatile memory included in the hard copy output engine*; and initiating communication with the vendor using the electronic address. The Office Action, while acknowledging the deficiencies of Tomidokoro, relies on Mizuno as supplying the noted

deficiencies. Specifically, the Office Action notes that "it would have been obvious ...to modify the method of Tomidokoro, to include the electronic address, as taught by Mizuno, in order to provide a system for enabling communication between the central control apparatus and the copier group, so . as to order a consumable item from a consumable supplier when the consumable item is requested from one of the copiers."

Even assuming for argument sake the approach suggested by the Office Action, Applicants submit that one would still not arrive at all the elements of claim 8. As explained above with respect to claim 1, Mizuno merely initiates communication with a remote device using a URL. It, however, fails to teach or suggest "extracting an electronic address for a vendor of the consumable from a non-volatile memory included in the hard copy output engine." Thus, even if the teachings of Mizuno are combined with those of Tomidokoro, one would not arrive at claim 8.

Further, claim 8 recites the communication is *initiated* with the vendor using the electronic address. In contrast, Tomidokoro's approach is not initiated using an address from the non-volatile memory as the central controller polls each of the image forming devices and receives consumable information from such devices, and the central controller in turn contracts à supplier for ordering replenishments.

In addition, Tomidokoro is devoid of any details of initiating communication within a vendor, let alone using the claimed electronic address extracted from memory. Tomidokoro discloses at col. 13, lines 1-7, apparatus 400 orders the consumables in accordance with data received from the copier devices to a consumable item supplier. No details are provided regarding the ordering, nonetheless, teachings which may be fairly construed as disclosing or suggesting the claimed *extracting and initiating communication with the vendor using the electronic address* as claimed.

Limitations of claim 8 are not shown nor suggested by the prior art and claim 8 is allowable for at least this reason.

The claims which depend from independent claim 8 are in condition for allowance for the reasons discussed above with respect to the independent

claim as well as for their own respective features which are neither shown nor suggested by the cited art.

Referring to claim 15, given the polling arrangement of Tomidokoro, such fails to disclose or suggest *memory included in the hard copy output engine configured to store data representing an address for a supplier of consumables.* Further, Tomidokoro fails to teach or suggest extraction of the electronic address or the initiation of communication with the supplier using the electronic address as claimed. Numerous positively-recited limitations of claim 15 are not shown nor suggested by the prior art and claim 15 is allowable for at least this reason.

The claims which depend from independent claim 15 are in condition for allowance for the reasons discussed above with respect to the independent claim as well as for their own respective features which are neither shown nor suggested by the cited art.

The new claims are allowable over the prior art.

Applicants respectfully request allowance of all pending claims.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested. While it is believed that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is requested that the Examiner contact the undersigned at: 509-624-4276.

Respectfully submitted,
Mark A. Harper
Robert E. Haines

By: _____
James D. Shaurette
Reg. No. 39,833   3/10/03
March 10, 2003

PATENT APPLICATION
DOCKET NO. 10003223-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S): Mark A. Harper; Robert E. Haines

SERIAL NO.: 09/665,349   GROUP ART UNIT: 3625

FILED: September 18, 200   EXAMINER: M. Thein

SUBJECT: Localizing Client Purchasing of Consumables for Hardcopy
             Output Engine and Method

VERSION WITH MARKINGS TO SHOW CHANGES MADE ACCOMPANYING
RESPONSE TO DECEMBER 18, 2002 OFFICE ACTION

In the Claims

The claims have been amended as follows.   Underlines indicate insertions
and strikeouts indicate deletions.

1   7.   (Amended) The method of claim 1, wherein determining an
2 electronic address for comprises determining a universal resource locator for a
3 vendor supplier chosen from a group consisting of: an original equipment
4 manufacturer, a reseller or a supplier of office supplies including hard copy
5 output engine consumables.

1   8.   (Amended) A method of obtaining consumable supplies for a hard
2 copy output engine comprising:
3   determining that an amount of consumable for the hard copy output
4 engine is less than a threshold amount;
5   extracting an electronic address for a vendor of the consumable from a
6 non-volatile memory included in the hard copy output engine; and
7   initiating communication with the supplier vendor using the electronic
8 address.

Serial No. 09/665,349
Case No. 10003223-1
Amendment A

1   16.   (Amended) " The computer implemented control system of claim

2   15, wherein the processor configured to extract an electronic address comprises

3   a processor configured to extract a universal resource locator for a ~~vendor~~

4   <u>supplier</u> of consumables appropriate to a geographic area within which the hard

5   copy output engine is deployed.

END OF DOCUMENT